

Court of Appeals, Division One
Civil Appeal

1 CA-CV 16-0464

TRI-STATE v. HESKETT, et al.

Appellate Case Information

Case Filed: 9-Aug-2016
Case Closed:

Dept/Composition

Side 1. TRI-STATE BUILDING MATERIALS INC, Plaintiff/Appellee

(Litigant Group) TRI-STATE BUILDING MATERIALS INC

- Tri-State Building Materials Inc

Attorneys for: Plaintiff/Appellee

Daniel J Oehler, Esq. (AZ Bar No. 2739)

Side 2. HESKETT HOMES LLC, et al., Defendant/Appellee

(Litigant Group) HESKETT HOMES LLC, et al.

- Heskett Homes LLC, Counter-Claimant
- Joseph Lee Heskett, Counter-Claimant

Attorneys for: Defendants/Appelles/Cntr-Claimnts

Matthew J Mansfield, Esq. (AZ Bar No. 24046)

Side 3. CAROLYN BLEVINS, Defendant/Appellant

(Litigant Group) CAROLYN BLEVINS

- Carolyn Blevins, Counter-Defendant

Attorneys for: Defendant/Appellant/Cntr-Defendant

T'shura Ann Elias, Esq. (AZ Bar No. 25460)

Kenneth Gregory, Esq. (AZ Bar No. 23236)

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MOH B8015CV201404202	Breach of Contract/Personal Guaranty/Unjust Enrichment/Breach of Fiduciary Duty		Richard Weiss, Authoring Judge of Order		

OPEN DUE DATE

Answering Brief due

Due By:

Monday, January 30, 2017

Re: FILED: Appellant's Opening Brief on Appeal; Appellant's Certificate of Compliance; Certificate of Service re: Appellant's Opening Brief and Certificate of Compliance (Appellant)

13 PROCEEDING ENTRIES

- 9-Aug-2016 FILED: Index of Record, Notice of Appeal from Mohave County Superior Court filed 07/27/16
- 9-Aug-2016 FILED: e-Record on Appeal:
Instruments/Minute Entries
Transcripts: 03/10/2016 - Trial Day 1, Christine Bemiss; 03/11/2016 - Trial Day 2, Dawn M Maxfield
Exhibits: Exhibit List and Admitted Exhibits: E1 E2 E3 E4 E5 E6 E7 E8 E9 E10 E11 E12 E13 E14 E15 E16 E17 E18 E19 E20 E21 E22 E23 E24 E25 E26 E27 E28 E29 E30 E31 E32 E33 E34 E35 E36 E37 E38 E39 E40 E41 E42 E43 E44 E45 E46
- 16-Aug-2016 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
- 23-Aug-2016 FILED: Case Management Statement; Courtesy Copy - Judgment filed 06/17/2016 in Mohave County Superior Court (Appellant)
- 25-Aug-2016 RECEIPT No.: 2016-01065 ; \$280.00, Check Number: #1335, Applied to: CAROLYN BLEVINS - Class A Filing Fee (\$280.00)
Paid for: Carolyn Blevins - By Gregory & Elias PLC
- 30-Aug-2016 FILED: Appellee's Notice re: Appellee's Fee Due; Appellant's Brief Due
- 31-Aug-2016 ORDERED: on/before 09/15/2016, each party shall file a memorandum of no more than 10 pages addressing whether court has jurisdiction over appeal. The memoranda shall be supported by appropriate points and authorities and shall specifically address whether all claims for attorneys' fees were resolved in the judgment. FURTHER ORDERED: vacating 10/17/2016 due date for opening brief. After receipt of the memoranda, court will issue an order either staying the appeal to allow the superior court to enter a judgment with a certification of finality pursuant to Rule 54 (c) or dismissing the appeal. Melina Brill ProTem Judge - Author
- 6-Sep-2016 RECEIPT No.: 2016-01106 ; \$140.00, Check Number: 28982, Applied to: TRI-STATE BUILDING MATERIALS INC - Class B Filing Fee (\$140.00) Paid for: - By Law Offices of Daniel J Oehler
- 15-Sep-2016 FILED: Brief re: Jurisdiction; Certificate of Mailing (Appellee Tri State)
- 15-Sep-2016 FILED: Appellant's Memorandum Addressing This Court's Jurisdiction; Certificate of Service re: Memorandum Addressing This Court's Jurisdiction; Exhibit 1 (Exhibits 1 - 4) (Appellant)

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13 PROCEEDING ENTRIES

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| 11. | 26-Sep-2016 | ORDERED: staying appeal to/including 11/10/2016, revesting jurisdiction in Superior Court of Mohave County to permit that court to consider an application by appellant for a signed judgment with a certification of finality pursuant to Rule 54 (c). FURTHER ORDERED: if superior court grants appellant's application, appellant shall file a copy of the signed judgment within 10 days after its entry. FURTHER ORDERED: If appeal reinstated by filing of signed order, opening brief due 12/12/2016. Hon Jon W Thompson - Author |
| 12. | 2-Nov-2016 | FILED: Notice of Filing Amended Judgment; Certificate of Mailing; Exhibit 1 to Notice of Filing Amended Judgment (Appellant) |
| 13. | 12-Dec-2016 | FILED: Appellant's Opening Brief on Appeal; Appellant's Certificate of Compliance; Certificate of Service re: Appellant's Opening Brief and Certificate of Compliance (Appellant) |